

REVIEW OF CURRENT ENGLISH CASES.

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CRIMINAL LAW — EVIDENCE — EVIDENCE OF OTHER CRIMINAL ACTS — ADMISSIBILITY.

Rex v. Bond (1906) 2 K.B. 389 is a case of considerable importance, and gave rise to much difference of opinion. The defendant was indicted for feloniously using instruments on one Jones for the purpose of procuring a miscarriage. Evidence was given by another woman that the defendant had used instruments on her for the like purpose nine months before the act laid in the indictment, and had then told her that he had done the same thing for dozens of girls. The Court for Crown Cases Reserved (Lord Alverstone, C.J., and Kennedy, Darling, Bray, Lawrence and Ridley, JJ.) held that the evidence was admissible for the purpose of shewing that the act of which the prisoner was accused was not innocent, but was done with felonious intent. Lord Alverstone, C.J., and Ridley, J., however, dissented from this conclusion, and considered the evidence inadmissible, because prima facie there was no necessary connection between the act charged and the act alleged in the evidence admitted, and they considered that the fact that the evidence in question might establish a system or course of conduct on the part of the accused, which might lead to the inference that he had committed the offence charged, was not in their opinion sufficient ground for admitting the evidence objected to.

SOLICITOR — COSTS — DELIVERY OF AMENDED BILL FOR LARGER AMOUNT — REFERENCE — SOLICITORS' ACT, 1843 (6 & 7 VICT. 3. 73), s. 37—(R.S.O. c. 174, s. 37).

Lumsden v. Shipcote Land Co. (1906) 2 K.B. 483 was an action by a solicitor to recover the amount of a bill of costs. It appeared that the plaintiff had delivered a bill to the defendants, and afterwards, on their refusing to pay it, and denying all liability, had, without leave, delivered a second bill for the same services, but for a larger amount, which was the bill sued on in the action. The defendants, besides denying all liability, also contested the plaintiff's right to deliver a second bill without the leave of the Court. Ridley, J., who tried the action, gave judgment for the plaintiff for the amount to be found due on the tax-